

115TH CONGRESS  
2D SESSION

# H. R. 5869

To require the Secretary of Homeland Security to conduct a maritime border threat analysis, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2018

Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mr. KING of New York, Mr. DONOVAN, Mr. BACON, Mrs. MURPHY of Florida, Mr. DIAZ-BALART, and Mr. DUFFY) introduced the following bill; which was referred to the Committee on Homeland Security

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## A BILL

To require the Secretary of Homeland Security to conduct a maritime border threat analysis, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Maritime Border Secu-  
5       rity Review Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
2       TEES.—The term “appropriate congressional com-  
3       mittees” means—

4           (A) the Committee on Homeland Security  
5       of the House of Representatives;

6           (B) the Committee on Transportation and  
7       Infrastructure of the House of Representatives;

8           (C) the Committee on Homeland Security  
9       and Government Affairs of the Senate; and

10          (D) the Committee on Commerce, Science,  
11       and Transportation of the Senate.

12          (2) MARITIME BORDER.—The term “maritime  
13       border” means—

14          (A) the transit zone; and

15          (B) the borders and territorial waters of  
16       Puerto Rico and the United States Virgin Is-  
17       lands.

18          (3) TRANSIT ZONE.—The term “transit zone”  
19       has the meaning given such term in section  
20       1092(a)(8) of the National Defense Authorization  
21       Act for Fiscal Year 2017 (6 U.S.C. 223(a)(8)).

22       **SEC. 3. MARITIME BORDER THREAT ANALYSIS.**

23          (a) IN GENERAL.—Not later than 180 days after the  
24       date of enactment of this Act, the Secretary of Homeland  
25       Security shall submit to the appropriate congressional

1 committees a maritime border threat analysis that in-  
2 cludes an identification and description of the following:

3 (1) Current and potential terrorism and crimi-  
4 nal threats posed by individuals and groups seeking  
5 to—

6 (A) enter the United States through the  
7 maritime border; or

8 (B) exploit border vulnerabilities on the  
9 maritime border.

10 (2) Improvements needed at United States sea  
11 ports to—

12 (A) prevent terrorists and instruments of  
13 terror from entering the United States; and

14 (B) reduce criminal activity, as measured  
15 by the total flow of illegal goods and illicit  
16 drugs, related to the maritime border.

17 (3) Improvements needed with respect to the  
18 maritime border to—

19 (A) prevent terrorists and instruments of  
20 terror from entering the United States; and

21 (B) reduce criminal activity related to the  
22 maritime border.

23 (4) Vulnerabilities in law, policy, cooperation  
24 between State, territorial, and local law enforcement,  
25 or international agreements that hinder effective and

1 efficient border security, counterterrorism, anti-  
2 human trafficking efforts, and the flow of legitimate  
3 trade with respect to the maritime border.

4 (b) ANALYSIS REQUIREMENTS.—In preparing the  
5 threat analysis required under subsection (a), the Sec-  
6 retary of Homeland Security shall consider and examine  
7 the following:

8 (1) Technology needs and challenges.

9 (2) Personnel needs and challenges.

10 (3) The role of State, territorial, and local law  
11 enforcement in general border security activities.

12 (4) The need for cooperation among Federal,  
13 State, territorial, local, and appropriate international  
14 law enforcement entities relating to border security.

15 (5) The geographic challenges of the maritime  
16 border.

17 (6) The impact and consequences of Hurricanes  
18 Harvey, Irma, Maria, and Nate on general border  
19 security activities with respect to the maritime bor-  
20 der.

21 (c) CLASSIFIED THREAT ANALYSIS.—To the extent  
22 possible, the Secretary of Homeland Security shall submit  
23 the threat analysis required under subsection (a) in un-  
24 classified form. The Secretary may submit a portion of

- 1 the threat analysis in classified form if the Secretary de-
- 2 termines that such form is appropriate for such portion.

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